IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

FRIDAY, THE 1ST JUNE 2007 / 11TH JYAISHTA 1929

WP(C).No. 16690 of 2007(J)

PETITIONER:

ALIAS ITTEN, LECTURER IN COMPUTER
ENGINEERING, GOVERNMENT POLYTECHNIC COLLEGE,
KASARAGOD.

BY ADV. SRI.V.AJITH NARAYANAN

RESPONDENTS:

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1. THE DIRECTOR OF TECHNICAL EDUCATION,
DIRECTORATE OF TECHNICAL EDUCATION,
THIRUVANANTHAPURAM-23.

2. STATE OF KERALA, REPRESENTED BY
THE CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM.

3. JIBY P.JOSEPH,
LECTURER IN COMPUTER ENGINEERING,
GOVERNMENT POLYTECHNIC COLLEGE, PALA.

4. THE SENIOR JOINT DIRECTOR (PS),
DIRECTORATE OF TECHNICAL EDUCATION,
THIRUVANANTHAPURAM-23.

BY GOVT.PLEADER SRI.A.J.VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. Basheer, J.

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W.P(C) No.16690 of 2007

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Dated this the 1st day of June, 2007.

J U D G M E N T

Petitioner who is now working as Lecturer in Computer Engineering in Government Polytechnic College at Kasaragod is aggrieved by the refusal on the part of the authority concerned to consider his request for a transfer to the station of his choice viz., Govt. Polytechnic College at Pala. Learned counsel submits that going by clause 19 of Ext.P1 order issued by the Government stipulating minimum tenure policy for Govt. employees, the request made by the petitioner is quite legitimate and perfectly justifiable. It is further contended by the petitioner that respondent No.3 has been given the benefit of transfer to a station of his choice by promotion while the request made by the petitioner was overlooked.

2. I do not propose to deal with he above and other contentions raised by the petitioner at this stage, in view of the limited prayer made by the learned counsel at the Bar. He submits that petitioner will be satisfied if an appropriate direction is issued to respondent No.1 to consider and pass orders on Ext.P6 representation, in which the petitioner has highlighted his grievance and has also pointed out 2 open vacancies in the category which are now available.

3. Learned Government Pleader submits that appropriate decision will be taken in the matter by the Officer in charge expeditiously, if Ext.P6 has been preferred as contended by the petitioner.

In the above facts and circumstances the writ petition is disposed of with a direction to respondent No.1 (Officer in charge) to consider and pass orders on Ext.P6 strictly on its merit and accordance with law, as expeditiously as possible, at any rate within six weeks from the date of receipt of a copy of this judgment. Needless to mention that the petitioner shall be afforded sufficient opportunity to be heard before any orders are passed.

Petitioner shall produce a certified copy of the judgment along with a copy of the writ petition before respondent No.1 for compliance.

A.K. Basheer
Judge.

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